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To: 'microsoft.atr(a)usdoj.gov'
Date: 1/23/02 10:40am
Subject: Microsoft Settlement

Hello,

I wish to voice my opinion about the Microsoft (herein referred to as MS) settlement. However, a summary of my thoughts would be "the USA justice system has no teeth". I must expound, but I shall keep it concise.

The beginning of this trial saw MS accused of unfair trade practices. The middle saw MS guilty of monopolistic practices. At this point, one may point to the fact that monopolistic practices are illegal. To do so would be to rein down justice from the Department of Justice (DOJ). Many companies and involved employees found this reassuring. An illegal practice was found to be harmful to competition and to US citizens. Justice was going to be done.

The debate of the possible remedies was understandably long. MS is a very large company. Any impact on them might be too sweeping to remedy the main problem-- unfair trade practices. The past has shown many drastic remedies. AT&T was broken up. IBM was forced to do business in a fundamentally different manner. The past showed that justice was not only brought upon the small companies. No one company was above the law. No one company could be side step the remedy and continue with their unfair trade practices. Competing companies, involved employees, and the faceless citizen were all thought of as the victims. The victims were given justice. Moreover, each company survived the remedy regardless of their turmoil. A remedy was not a poison pill.

However, I feel that justice will not be done, the wronged will not be righted, and MS will not change in any manner. The current proposed remedy is much too light on MS and doesn't even start to address the concerns of the competition nor those affected. Indeed, the remedy is full of loop holes. Moreover, it does not restrict MS's ability to continue its unfair trade practices in the future. One can easily expect MS to illegally leverage its way into other competing markets with the exact same business strategy. Nothing will change, but there's everything to lose.

I am aware that my opinion is not very forthcoming with facts and the such. Though I can be more articulate and supportive in my statement, I find that there is enough legal and technical opinions from the States who oppose the current proposed remedy. They make very good arguments. I sympathises with them. Regardless, my main objection to this remedy is that there is no perception of how this will stop MS from continuing to act illegally or how this will compensate the wronged. Both are quite flimsy at best. I support a hefty cash fine on MS in the tune of billions. Similarly, I support restricting MS's business actions with a government body who can unilaterally impose fines on MS or cancel any and all MS trade contracts with any company. Lastly, I support opening up competition for offending MS products by fragmenting MS into at least 3 different and independent entities. These products would include but would not be exclusive to: MS Windows 2000, MS Windows XP, MS!

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Windows CE (aka: Pocket PC), and MS Windows 9x (including MS Windows Whistler). These remedies are quite harsh, but I find that MS's conduct and attitude in this trial was equally but conversely light. Justice must be done. The DOJ must restore confidence in the justice department. The wronged must feel righted. US citizens cannot be oppressed in such a manner as to stifle innovation and competition.

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